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## **AMENDMENT AND RATIFICATION OF OIL AND GAS LEASE**

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF TARRANT §

**WHEREAS**, under date of February 18, 2008, Mark Abbott, whose address is 5509 Shadydell Dr., Ft. Worth, TX 76135-2514, as Lessor, did execute and deliver to XTO Energy Inc., whose address is 810 Houston Street, Fort Worth, TX 76102, as Lessee, an Oil, Gas and Mineral Lease (the "Lease"), recorded in Document No. D208316837, Real Property Records, Tarrant County, Texas, covering the following described land (the "Subject Land"):

Lot 4, Block 22, Marine Creek Estates Addition to the City of Ft. Worth, according to the Plat thereof recorded in Cabinet A, Slide 5524, Plat Records, Tarrant County, Texas

**WHEREAS**, Lessor's wife, Marci Abbott, desires to adopt, ratify and confirm said Lease and amendment of Lease as herein provided;

**NOW THEREFORE**, for adequate consideration, the receipt and sufficiency of which is hereby acknowledged, Lessor and Lessee do hereby agree that said Lease shall be amended to include the following paragraph:

**SUBSURFACE EASEMENT.** Lessor hereby grants, bargains and conveys unto Lessee, its successors and assigns, an exclusive subsurface easement and right-of-way ("Easement") to provide Lessee ingress to and egress from, and the right to use and occupy, the subsurface of the Land for a wellbore or wellbores to drill across, through and under the subsurface of the to conduct horizontal or directional drilling operations under, through and across the subsurface of the Land for the purpose of drilling, completing, reworking, deepening, plugging back, recompleting, injecting, operating, producing and marketing hydrocarbons and plugging and abandonment of one or more horizontal or directional wells drilled upon drillsite locations located off of the Land. This Easement shall commence as of the date hereof and shall continue for so long as this Easement is used for any of the purposes set forth above.

In all other respects, except as expressly amended hereby, the Lease shall continue in full force and effect as originally written.

The provisions hereof shall extend to and be binding upon the parties hereto, their respective heirs, legal representatives, successors, and assigns.

IN WITNESS WHEREOF, this instrument is executed on this 26<sup>th</sup> day of September, 2008, to be effective as of the date of the Lease.

Marci Abbott

Marci Abbott

Mark Abbott

Mark Abbott

ACKNOWLEDGMENT

STATE OF Texas §

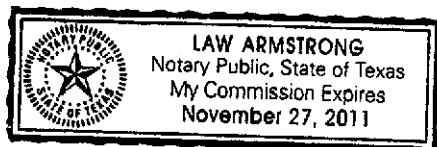
COUNTY OF Tarrant §

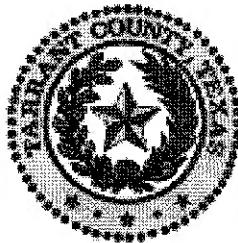
The foregoing instrument was acknowledged before me on this 26<sup>th</sup> day of September, 2008, by Mark Abbott and Marci Abbott, husband and wife.

(Seal)

Jan Rutter  
Signature of Notary Public

My commission expires 11-27-2011.





ANDREW SMITH  
XTO ENERGY  
810 HOUSTON ST  
FT WORTH TX 76102

Submitter: LAW ARMSTRONG

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SUZANNE HENDERSON  
TARRANT COUNTY CLERK  
TARRANT COUNTY COURTHOUSE  
100 WEST WEATHERFORD  
FORT WORTH, TX 76196-0401

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Filed For Registration: 09/29/2008 10:56 AM  
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LSE            3 PGS            \$20.00

By: \_\_\_\_\_



**D208373560**

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OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR  
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